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PTO/SB/13 (00-02)

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>SMQ-082CN1/P6396CNT</b>
In re Application of John TELOH et al.		
Application Number <b>09/988853-Cont. #9384</b>		Filed <b>November 19, 2001</b>
For <b>STORAGE NETWORK DATA REPLICATOR</b>		
Art Unit <b>2175</b>	Examiner <b>J. F. Betir</b>	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.20(b)(1))

\$ 500.00 Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:\$            A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No 12-0080. I have enclosed a duplicate copy of this sheet. A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

 applicant/inventor. assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)  
SignatureKevin J. Canning  
Typed or printed name attorney or agent of record.Registration number 35,470

(617) 227-7400

Telephone number

 attorney or agent acting under 37 CFR 1.34.Registration number if acting under 37 CFR 1.34           

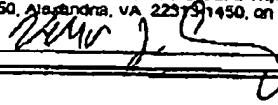
December 16, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below. Total of 1 forms are submitted.

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 305-8308 at MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22373-1450, on the date shown below.

Dated: December 16, 2004

Signature: 

(Kevin J. Canning)

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